

1871-009
Lee Co.

Chancery Causes: William R. ley vs. George R. Fletcher &

Jeff. Pridemore

CA - Debt
T - Property

To the Honorable Henry J. Morgan Judge of The
County Court of Lee County - Your orator
William Riley humbly complaining sheweth unto
your Honor, one George R. Fletcher, is indebted
to him in the sum of (\$160.) one hundred and
sixty dollars, which was due and payable
on the 18th day of June 1863, and which said ~~note~~
was due by note or bond executed ~~some time~~ in
the year 1862, and was then delivered to your
orator - This note or bond, and every part thereof
is still due & owing to your orator from the
said Fletcher, but your orator cannot
produce said note or bond or be more
particular in its description, because on
the 16th day of February 1863, the said Fletcher
met your orator at the house of one Albert
Overtons in Hancock County Tennessee, and there
and there representing to your orator, that
the the said Fletcher desired, to pay your
orator said sum of money, asked your
orator for said note or bond not then sus-
pecting his motives, your orator handed him
the same, and he then and there tore, mutilated
and burned the said note up, the said
Fletcher was then surrounded with soldiers who
was favorable to his designs, and your orator
was powerless to resist the encroachments of
his rights as aforesaid, of all this satis-
factory proof will in due time be made
Your orator further states the said Fletcher
about the ~~day of~~ ^{month of} 186 . was in-
debted to your orator, about ~~one~~ ^{for} half of a box
of tobacco of the value of \$50. . for which
he has never paid your orator one cent

Your orator was a merchant, and had a store near Mulberry Gap. where the said tobacco was, and the said Fletcher went there and received from ^{from your orator's clerk at} said store the said tobacco.

The said Fletcher has now removed from this Commonwealth and resides in the State of Texas, but he alleges that he has estate and effects due him in the County of, he alleges that one Jefferson Meff is indebted to him in the sum of \$, and the same will be come due & payable on the day of 187 .

The object of this bill therefore is to obtain a decree against the said George R. Fletcher for the amount of the note aforesaid and also for the sum of \$ The price of the tobacco aforesaid, and to have attached & subject to the payment of your orator's claim as aforesaid the debt due from the said Jefferson Meff. as aforesaid - and to enjoin the said Meff from paying over any amount in his hands due from ~~him~~ to the said Fletcher his agent or attorney - until the further order of the Court. And for all such other further & general relief as your orator may in equity be entitled May your honors issue &c.

Hagan & Pickens

William Riley

Bill Chy
vs on foreign attache

George R. Fletcher

1871 July. Bill. O.P. & Court

" ~~Bill. O.P. & Court~~

" ~~Bill. O.P. & Court~~

" ~~Bill. O.P. & Court~~

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" ~~Bill. O.P. & Court~~

" ~~Bill. O.P. & Court~~

" ~~Bill. O.P. & Court~~

Lo. 7.05
A. 18.00
S. .50
Pr. 5.00
27.55

William Riley
J. R. ^{vs.} Stephens & J. V. Jeff } Suit on con-
} city court
} Lee County
} Virginia

Now comes the Defendant G. R.
Fletcher and for answer says
denies all and singular the
allegation in Plaintiffs Petition
and says that the transaction
took place in Hancock County
Tennessee says that the note
spoken of in Plaintiffs petition
was ^{to be cashed in or converted into} ~~given~~ for Confederate mo-
ney, the note was given in the
Spring of 1863, before the Federals
took possession of Cumberland
Gap. Defendant alleges that the
note spoken of in Plaintiffs petition
was given for that payment on
the serial bond of tobacco & spoken
of in Plaintiffs petition & further
says that he paid for part of
the bond of tobacco at the time of
purchase the sum of \$150 dollars
in Confederate money & made
a tender of the money for the
note in Confederate about the
time of the evacuation of the fed

Money by My Wife at the place and
Time according to contract

G. R. Fletcher

Sworn & subscribed to before
me this March 8th 1871,

R. L. White J. D.

Collins County

State of Texas

This is to certify that the above
named R. L. White is an acting Justice
of the Peace in and for the County of
Collins & State of Texas

In Witness whereof I hereunto set
my Hand & Seal of office this
8th day of March A. D. 1871

J. M. Briggs Clerk for
Mr. Cameron Sept

G. R. Fletcher.

dd 3 answer.

William. Riley.

deems
society for costs

G. M. Fletcher. }
vs } In Chancery.
William Riley }

The said Deft says that the Compl^t Bill
in case the same were true, which the Deft does
no wise admit, contains not any matter of Equity, whereon
the Court can ground any decree, or give the Compl^t
any relief, & therefore the Deft demurs to said Bill, &
prays the judgement of the Court, if he shall be compelled
to answer the same further, & that he be dismissed hence
with his reasonable Costs.

Done for deft.

J. N. Fletcher.

ad 1 } Demm. to Bill

William Riley.

~~William Riley~~
e March 1871.

Mr. Riley }
George R. Fletcher } In Chancery.

This cause came on to be heard
this the 26th day of August 1871, upon the
Bill, answer, & depositions, and was argued
by Counsel, and by Consent of the Plffs and
Defts Counsel, the following decree was
rendered; that is to say, it is adjudged, ordered
and decreed that the Plff - recover of the Deft.
the sum of Twenty one Dollars, and Thirty Three.
& one third cents, with interest from the 18th June
1863, and the Costs of this suit; and it appearing
that the Deft Cheff is indebted to the said
Fletcher, in a greater amount, than the sum decreed,
against his co-Deft, it is adjudged, ordered & decreed
that the said Cheff, pay the Plff, the said
sum of \$21.33 $\frac{1}{3}$ with interest as aforesaid, and
the Costs of this suit, and when so paid the
same shall be allowed, by the said Fletcher
to the said Cheff, as a credit upon the sum
due, from the latter, to the former; but the
Plff shall not be entitled to the benefit of
this decree, until he shall have executed
bond, with security, before the Clerk of this
Court, in the sum of \$45.00, pursuant.

to the 24th Sec. 100, the 157. ch of the Code of
Virginia, 1860, and this case is drawn
from the docket.

Mr Riley.

v1

George R. Fletcher

Decees.

Aug 1471.

Entered O.B. p 356.

the newly 1863 White 1000
Applied in court as follows
Certificate of 1863 as we have
a Commission to me directed from
the Attorney General of the United
States of 1863. In a suit now
pending wherein William Riley is
defendant George W. H. H. is
plaintiff. Under the said 1863 2d
the ~~the~~ before the which in
said Commission is come before
me and after being duly sworn
to have answered to make to the
court of law and equity said Commission
the said which answering
thereby says

I call on or about the month of
June 1863. purchase of William Riley
a Box of Tobacco a very common
article about short cut tobacco
which tobacco is in the new round
form with about 18 or 20
per lb by the Box, for which I
agreed to give him three dollars
per hundred in Confederate money,
which amounted to three hundred &
two dollars

for which I paid him fifty one hundred & fifty dollars in Confederate money down the remainder of the hundred & fifty dollars he drew up a note for according to the way of taking notes for dollars and I asked to sign the note. told him that our contract was for Confederate money he said that he was serious in business for Confederate money and did not expect any other kind of money if that in a reasonable time I should sign the note. This matter was made at William

Wells dwelling house in New Orleans. Emily Sumner in the presence of her father's family and Kelly himself delivered the tobacco to me and it being that day I have known or knew at least that Sumner. I never heard of it before. It is the half ton of tobacco but he being a partner of it and never seen in road any such quantity of tobacco from William Wells Kelly to nor of his clerk. I never had any transaction with William Kelly during the war but the one time & that was the transaction that I

have just been around upon
some states all the facts about
the same, nor have I at any time
had any conversation with him
Henry Abbot nor I never know
that Henry had any clerk
I made a tender of the money through
my wife ~~about~~ at the place at Big
House when I purchased the tobacco
my ^{wife} said that Henry's daughter said that
~~she~~ ^{her} father had violated the law, not
seen the confidential money of J.
H. McComb's but it was a young
daughter persuaded her to raise
the money as it was an essential
article for father & Mr. Fletcher
said she would not see the money
this account about the time that the
Federals took possession of Lincolnton
Ga. the first time after
the Federals had occupied the town
about the first of February 1864.
Myself & John McComb were together
and met with Mr. Henry at Mr. Foster's
house in Hancock County Georgia.
I called on William Henry for me
so he gave me the note I told
him that I had sent him the
confidential money necessary to the

Confess & he said that he knew of
 I ask him why he did not take
 the money & he said that the fact
 at his possession of the money &
 that it was worthless at that
 time, I stated to Mr. H. that
 he probably considered confidential
 money as worthless & he told me
 that the money might be worth
 something yet. C. Fletcher

State of Texas }
 Dallas County } I R. C. White stating
 } Public in and for said
 } County do hereby certify

That the facts by me stated as aforesaid
 are true, and that the foregoing annex
 were by the said Geo. R. Fletcher
 sworn and subscribed to before me
 given under my hand & seal of
 office in the County of Tarrant
 on this the 15th day of May 1871

R. C. White
 Public Notary

George R. Fletcher
 vs. } Deposition
 3d

William Fletcher

Received by Hail sealed
 and filed May 27th 1871

James H. M. Cook

Mr. William Riley

You will take notice that
on Monday the 15th day of May 1871 at the Court House
in McKinney, Collin County Texas, I will give my own
deposition, to be read as evidence on my behalf
upon the hearing of a suit in Chancery, now pending
in the County Court of Lee County Virginia, wherein
you are Plaintiff and I and Jefferson Keff are Defs.
If said deposition is not completed on that day, I will
adjourn from time to time, and from place to place, until
I shall have finished. April 6th 1871.

George R. Fletcher & Co.

George R. Fletcher "

2d } Notice.

William Riley.

I accept the legal
service of of the within
~~sanctified~~ spirit

8th 1871 William Riley
by Sagan & Pridmore
attys -

The Commonwealth of Virginia:

To any Justice of the Peace, Notary Public, or Commissioner, appointed by the Governor of said State, resident in the State of *Texas* authorized to take depositions in the county of *Ballin* in the State of *Texas*

GREETING:—

know ye, that we, trusting to your fidelity and provident circumspection, do require you, that at such time and places as you shall appoint, to call and cause to come before you *George R Fletcher*

a witness on behalf of *himself*

in a certain *suit in Chancery*

depending in the *County* Court of Lee County between

plaintiff and

Fletcher et al

defendants

and *him* diligently examine touching the same in solemn form, on oath or affirmation, and having received *his* examination as aforesaid, that you distinctly, plainly and without delay, certify and sign, and send the same enclosed into our said Court, together with this writ.

Witness, *James H Orr* ~~HENRY J. MORGAN~~, Clerk of our said Court, at the Court-house this *8th* day of *April* 18*81*, in the *95th* year of the Commonwealth.

James H Orr. Clerk.

I do solemnly swear that

George R. Fletcher

whose name *is* mentioned as witness in the commission *above* is a non-resident of the State of Virginia. So help me God.

M. B. D. Lane

Sworn to before me this

8th day of *April* 18*81*.

James W Orr. Clerk.

George R. Fletcher
et al
advs } Commission
William Riley

Virginia Lee County to wit
this day A. L. Pickens personally
appeared before me and made oath
that, George R. Fletcher according to
his information and belief, is a non res-
ident of the state of Va.

Given under my hand and seal this
the 6th day of January 1878.

J. P.

William R. L. R.
vs. { Affidavit.

George R. L. L.

State of Tennessee 2
Claiborne County 3

This day William Riley appeared before me and made oath in due form of law that on the 16th day of February 1864, he held a note or bond on George R. Fletcher for the sum of (\$160.00) one hundred and sixty dollars, which was due and payable on the 18th day of June 1863, and which had been executed by the said Fletcher and delivered to said affiant sometime in the year 1862, at which time it bore date. Affiant further states that on the day first above mentioned, viz, 16th Feb, 1864, the said George R. Fletcher, met this affiant at the house of Elbert Overton in Hancock County Tennessee, and called upon the affiant for said note - affiant produced the said note, and the said Fletcher pretending that he wanted to pay it, asked to see it - affiant not suspecting Fletcher's motives, handed him the note to look at as he supposed; but the said Fletcher, when he got possession of said note in the manner above stated, very deliberately tore up and destroyed said note, remarking to affiant that he never intended to pay it.

Affiant further states that he cannot produce or make proof of said note or bond because of its destruction in the manner above stated - and that the same has not been paid or any part thereof -

Sworn to & subscribed
before me, the 31st December 1870 }
Clairborne Cook J. P. for Claiborne
County Tennessee.

Wm. Riley

Affidavit ... 15"

Mr. Riley

1828

George Fletcher

State of Tennessee }
Clabourne County } This day personally
appeared before me } the undersigned a Justice
of the Peace for said County. William Riley
and made oath in due form of law that
George R Fletcher is justly indebted to
him in the sum of one hundred and sixty
Dollars which became due & payable on the
18th of June 1863 and that he is also
indebted to him in the further ~~same~~ sum
sixty six Dollars which became due and
payable on the 2nd day of August 1864
which last sum was for about Two Thirds
of a box of ^{fine} Tobacco weighing about sixty six
pounds taken from Riley's own house
by the said ~~George~~ Fletcher The latter sum
the said Riley is able to show in proof
Given under my hand and
seal This the 25th day of }
February 1871 } Wm Riley
Sworn to and subscribed }
before me on the 25th day of }
February 1871 }
J. P. Spradley
J. P. for said County

Virginia At Rules held in the Clerk's Office of the County Court of
Lee County, on Monday, the 2nd day of January 1871.

William Riley ----- Plff }
against } In Chancery
George R. Fletcher + Jefferson Neff.... Defts. } on Foreign attachment.

The object of this suit is to obtain a Decree against the defendant Fletcher for the debt of \$160.⁰⁰ with legal interest thereon from the 18th day of June 1863, and the price of the Tobacco, in the Bill mentioned, and ^{to} subjecting a debt due from defendant Neff to defendant Fletcher, or so much as may be necessary, ^{which has been attached for the purpose} to the payment of the debts aforesaid due the Plaintiff. And it appearing from an affidavit filed in the cause, that the defendant Fletcher is a non-resident of this Commonwealth, he is, therefore, ordered to appear here within one month after due publication of this order, and do what is necessary to protect his interest in this suit.

James W. Orr clk
At copy Teste James W. Orr clk

I certify that on Monday, the 16th day of January 1871, that being Court-day, I posted a copy of the above Rule at the front door of the Court-House of Lee County.
James W. Orr, clk

William Riley

vs. { order of publication

George R. Fletcher et al.

M. B. Overton,

I, ⁹Wm all men by these presents that we William Riley, and
A. R. Burgerer are held and firmly bound unto the
Commonwealth of Virginia in the just and full sum of
One hundred dollars for the payment thereof well and
truly to be made to the said Commonwealth we bind our
selves our heirs Executors and Administrators jointly and
severally, firmly by these presents, And we hereby
waive the benefit of our homestead Exemption as to this
obligation. Witness our hands and seals this the 19th day of
June 1871. The condition of the above obligation is such
that whereas in a certain suit now pending in the County
Court of Lee County between William Riley Plaintiff and
George R. Fletcher defendant, there has been a suggestion
by the defendant that the Plaintiff is a nonresident of this
Commonwealth, and security for costs required, Now if
the above bound William Riley shall well and truly pay all
such costs as may be awarded against him upon the trial
of said Cause, and all such fees as are now due, or may
~~be~~ hereafter become due the officers of this Court, then this
obligation to be void otherwise to remain in full force and
virtue.

Wm Riley Seal,
A. R. Burgerer Seal,
M. B. Overton Seal

William Riley et al.
vs Bond for Costs

George R. Fletcher

As paid by Riley as costs



The Commonwealth of Virginia,



TO THE SHERIFF OF LEE COUNTY---GREETING:

WE COMMAND YOU TO SUMMON

George R. Fletcher & Jefferson Voff.

to appear before the Judge of our County Court for Lee County, at the Court-House, in the Clerk's Office, at Rules to be holden for said Court, on the *first* Monday in *January* next, to answer a bill in Chancery, exhibited in our said Court, against *them* by *William Riley*

And have then there this writ. Witness, *James H. Carr* JOHN-B. WEST, Clerk of our said Court, at the Court-House, this *6th* day of *January* 1870, in the *75th* year of the Commonwealth.

James H. Carr Clerk.

William Riley

88 3 Bpa in charge
George R Fletcher

February Rules 1871.

Executed the 11th of January
1871 at 10 o'clock A.M. by del-
ivering to Jefferson Haff
an attested office copy of
the within Bpa with the
restraining order endorsed
thereon W. L. Hamblen
S. G. C.

Not Executed in George
R Fletcher he being a non-
resident of this command at
the W. L. Hamblen S. G. C.

(Tax Paid)

I was given the above Bpa on 11th Jan. 1871 to George R.
Fletcher his agent, on delivery, my money for which the money
the said Fletcher would be liable for a full year of service.
1871 Jan. 11th C. R. H.

The Commonwealth of Virginia,

^{again}
WE, COMMAND YOU TO SUMMON *George R. Fletcher, and Jefferson Veff.*

TO THE SHERIFF OF LEE COUNTY—GREETING:

to appear before the Judge of our County Court, for Lee County, at the Court-House, in the Clerk's Office, at Rules to be holden for said Court, on the first Monday in *March* next, to answer a bill in Chancery, exhibited in our said Court, against *them* by *William Riley.*

And have then there this writ. Witness ^{*James*} ~~JOHN~~ W. ORR, Clerk of our said Court, at the Court-House, this *25th* day of *February* 1871, in the *75th* year of the Commonwealth.

James W. Orr. Clerk.

[H. & P.]

William Riley

vs. Alias Spa Chancery

George R Fletcher et al

March Rules 1841

Exeutor by acting Summa
an official under the

March 4, 1911 to the trustees

for the Hamden, S. C.

(ch. 8)

The Plaintiff in this suit having made the proper affidavit, it is ordered that the officer serving this process, do attach such debts, as are already due, or to become due to the defendant George R Fletcher (who is a non-resident of the Commonwealth of Virginia) from the other defendant, Jefferson Veff. Also any other estate of the said defendant Fletcher, whether in his own hands, or in the hands of the other defendant Jefferson Veff, to answer the future order of court.

Leslie James W. Orr, Clerk.